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October 20, 2022

Hon. Yvonne Gonzalez Rogers
United States District Judge
Ronald V. Dellums Federal Building
& United States Courthouse
1301 Clay Street
Oakland, CA 94612

Re: *In re: Social Media Adolescent Addiction/Personal Injury Products Liability Litigation*, MDL No. 3047

Dear Judge Gonzalez Rogers:

Pursuant to this Court's order dated October 11, 2022 (ECF No. 2), please accept this letter application of Jayne Conroy of the firm Simmons Hanly Conroy ("SHC"), for a leadership position in MDL 3047, *In re: Social Media Adolescent Addiction/Personal Injury Products Liability Litigation*. As described below, Ms. Conroy is exceptionally qualified to serve this Court in light of her significant experience in numerous other MDLs and her continued selection by federal courts to fulfill leadership roles in those cases. In addition, SHC can and will bring the necessary resources to a case that will likely be both complicated and expensive to litigate.

The Court identified five criteria in its Order that it will consider in reviewing applications. Each is addressed in turn.

1. Professional Experience with MDLs: Ms. Conroy has extensive experience with complex litigation over more than two decades. One of Ms. Conroy's earliest MDL appointments was to serve as State/Federal Liaison Counsel, Trial Counsel, and a member of the Fee Committee upon resolution in *In re: Bextra and Celebrex Products Liability Litigation*, MDL 1699 (N.D. Cal.). Since that time, Ms. Conroy has served in leadership roles in numerous MDL proceedings covering a wide variety of subject areas.

Ms. Conroy's most recent MDL experience is her role in MDL 2804, *In re: National Prescription Opiate Litigation*. Ms. Conroy was appointed to serve as one of three Co-Lead

We stand for our clients.

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Counsels in that MDL following the untimely passing of her law partner, Paul Hanly, Jr.. Prior to Ms. Conroy's appointment as Co-Lead Counsel, she was involved in all aspects of that MDL from its inception, including discovery matters, settlement negotiations, and trial preparation.

Ms. Conroy was also appointed to the Plaintiffs' Steering Committee in MDL 2672, *In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation* (N.D. Cal.) Other MDL appointments include serving on the Plaintiffs' Executive Committee ("PEC") in MDL 2244, *In re: DePuy Orthopaedics, Inc. Pinnacle Hip Implant Products Liability Litigation* (N.D. Tex.); on the Plaintiffs' Executive Committee in MDL 2591, *In re Syngenta AG MIR162 Corn Litigation* (D. Kan.); and on the PSC in MDL 2299, *In re Actos Products Liability Litigation* (W.D. La.). A list of Ms. Conroy's career MDL appointments are included in her CV, which is included as Exhibit B.

2. Names and Contact Information of MDL Judges

Hon. Charles R. Breyer – *In re: Bextra/Celebrex* (MDL 1699); and *In re: Volkswagen "Clean Diesel"* (MDL 2672). Additionally, Ms. Conroy was a member of the team that tried the City of San Francisco's opioid lawsuit to Judge Breyer. That was a multi-month trial that concluded in July 2022, and Judge Breyer's findings of fact and conclusions of law were filed in August 2022. (Calendar Clerk & Courtroom Deputy: Lashanda Scott, 415-522-2062).

Hon. Ed Kinkeade – Northern District of Texas, Dallas Division – *In re: DePuy Pinnacle Hip Implants* (MDL 2244). In addition to serving on the Plaintiffs' Executive Committee, Ms. Conroy was a member of the team that tried four multi-month bellwether jury trials before Judge Kinkeade in 2014, 2016, and 2017, and started a fifth in early 2019 that settled during trial. (Judicial Assistant: Cheri Leatherwood, 214-753-2720).

Hon. John W. Lungstrum – District of Kansas, Kansas City Division – *In re Syngenta AG MIR162 Corn Litigation* (MDL 2591) (913-735-2320)

Hon. Dan Aaron Polster – *In re: National Prescription Opiate Litigation* (MDL 2804) (Courtroom Deputy: Katie King, 216-357-7192).

3. Willingness and ability to immediately commit to time-consuming litigation:

Ms. Conroy has demonstrated her willingness and ability to commit to time-consuming multidistrict litigations as evidenced by her dedication to the multi-district litigation process over the past decade and the progressively increasing responsibilities she has accepted in each litigation. SHC has devoted significant resources to prosecuting multiple MDLs, including being involved in multiple MDLs at once. Ms. Conroy is familiar with the demands of such cases and can represent to the Court that she is fully able to take on whatever level of responsibility this Court deems appropriate.

4. Willingness and ability to work cooperatively with other plaintiffs' counsel and defense counsel:

Ms. Conroy's frequent appointments to MDL leadership positions is



evidence of her reputation among the plaintiffs' bar, and the plaintiffs' MDL bar in particular. She and the members of her firm are well-known and well-respected within the plaintiffs' MDL bar. Further, while litigation is an adversarial process by design, Ms. Conroy strongly believes that collaboration with *all* counsel is imperative in any complex litigation where numerous lawyers are involved on both sides of the litigation. Complex cases require significant court resources to decide substantive matters and those resources should not be wasted addressing minor disputes that can be avoided simply by being reasonable.

5. Access to resources available to prosecute this litigation in a timely manner: Renamed following the merger of New York-based Hanly Conroy with the Illinois-based Simmons Browder Gianaris Angelides & Barnerd LLC, SHC brings unparalleled depth, experience, and resources to this case, both in terms of personnel and substantial financial resources. With approximately 80 lawyers and total staff of more than 225, the firm has offices on both coasts (including in San Francisco), as well as in the Midwest where it is headquartered. The firm handles cases only on a contingent-fee basis, and focuses its practice on asbestos personal injury cases, pharmaceutical and other similar mass torts, consumer fraud class actions, antitrust cases, and other complex plaintiffs' side litigation. In addition to Ms. Conroy, other lawyers at SHC have substantial experience, including leadership experience, in complex multidistrict litigations, allowing for depth in staffing as needed. SHC is both willing and able to devote the necessary personnel and substantial financial resources necessary to prosecute this case.

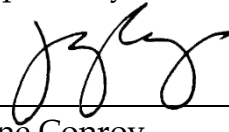
6. Willingness to serve as lead counsel, a member of a steering committee, or both: While Ms. Conroy is willing to serve in whatever capacity the Court thinks is appropriate, she believes that the most appropriate role for her in this litigation is as a member of the Plaintiffs' Steering Committee.

7. Other Considerations: In addition to the MDL cases listed above, Ms. Conroy was also counsel for a class of Haitian young men who were victims of sexual abuse. While that is a very different situation from the one presented in this case, many of the harmful emotional effects endured by the plaintiffs in this case will be similar to some of the harms those young men suffered. That case was *Gervil St. Louis v. Douglas Perlitz, et al.*, No. 3:13-cv-01132, in the United States District Court for the District of Connecticut (Hon. Robert Chatigny).

Finally, Ms. Conroy's application to serve as a member of the Plaintiffs' Steering Committee is supported by the plaintiffs' counsel listed on the attached Exhibit A, and Ms. Conroy likewise supports the application of those attorneys for the appointments listed there. Ms. Conroy knows those lawyers and law firms well, has worked with many of them in prior MDLs, and can assure the Court that this MDL would be well-served by those appointments.



Respectfully submitted,



Jayne Conroy

EXHIBIT A

Exhibit A

The following counsel have cases in this MDL and support Ms. Conroy's application to be appointed as a member of the Plaintiffs' Steering Committee in MDL 3047, and Ms. Conroy likewise supports these counsel for appointments to the positions listed below:

Co-Lead Counsel

Attorney	Firm
Lexi Hazam	Lieff Cabraser
Emily Jeffcott	Morgan & Morgan
Chris Seeger	Seeger Weiss
Joseph VanZandt	Beasley Allen

Liaison Counsel

Jennie Anderson	Andrus Anderson
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Plaintiffs' Steering Committee

Attorney	Firm
Ron Austin	Ron Austin Law
Matt Bergman	Social Media Victims Law Center
James Bilsborrow	Weitz Luxenberg
Paige Boldt	Watts Guerra
Tom Cartmell	Wagstaff Cartmell
Jayne Conroy	Simmons Hanly Conroy
Carrie Goldberg	C.A. Goldberg Victims' Right Law Firm
Kirk Goza	Goza & Honnold
Sin-Ting Mary Liu	Aylstock, Witkin, Kreis & Overholtz
Andre Mura	Gibbs Law Group
Emmie Paulos	Levin, Papantonio, Rafferty
Roland Tellis	Baron & Budd
Alexandra Walsh	Walsh Law
Previn Warren	Motley Rice
Michael Weinkowitz	Levin, Sedran & Berman

Ms. Conroy also supports the appointment of Hillary M. Nappi, with the firm of Hatch, Rose, Schirripa & Cheverie, LLP to the Plaintiffs' Steering Committee.

EXHIBIT B

JAYNE CONROY | jconroy@simmonsfirm.com

Attorney with 35 years of experience, representing clients from all 50 states in complex litigation and mass tort actions.

CAREER HIGHLIGHTS

- Appointment as Co-Lead Counsel in the federal opioid MDL, In re: National Prescription Opiate Litigation, MDL 2804 (N.D. Ohio), which resulted in billions of dollars in settlements to help communities abate the opioid crisis
- Appointed to 15 multidistrict litigation plaintiff leadership positions
- Representation of several thousand victims of September 11, 2001 in a multi-district litigation against the financial sponsors of terrorism and in a separate litigation against the airlines and airport security companies
- Serves as court-appointed leadership on behalf of consumers in cases of national scope including GMO Corn Litigation, Toyota Unintended Acceleration, Pinnacle Hip Implant Injuries, and others.

WORK EXPERIENCE

Simmons Hanly Conroy, LLC

Named Shareholder | July 2014 – present

Alton, IL/New York, NY

Hanly Conroy Bierstein Sheridan Fisher & Hayes

Co-Founder | 2002 – July 2014

New York, NY

EDUCATION

New England School of Law

Juris Doctorate, May 1985

Dartmouth College

Bachelor of Arts, May 1980

LITIGATION LEADERSHIP

- *In re: National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio) (court appointed Plaintiffs' Co-Lead Counsel)
- *In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation*, MDL No. 2672 (N.D. Cal.) (court-appointed member of Plaintiffs' Steering Committee)
- *In re: Syngenta AG MIR162 Corn Litigation*, MDL 2591 (D. Kan.) (court-appointed member of Plaintiffs' Executive Committee)
- *In re: Lipitor Products Liability Litigation*, MDL 2502 (D.S.C.) (court-appointed member of Plaintiffs' Executive Committee)
- *In re: Zolof Products Liability Litigation*, MDL 2342 (E.D. Pa.) (court-appointed member of Plaintiffs' Steering Committee)

LITIGATION LEADERSHIP (cont'd)

- *In re: Propecia (Finasteride) Product Liability Litigation*, MDL 2331 (E.D.N.Y.) (court-appointed State/Federal Liaison)
- *In re: Pelvic Repair System Products Liability Litigation*, MDL 2325, 2326 & 2327 (S.D. W. Va.) (court-appointed member of Plaintiffs' Steering Committee)
- *In re: Actos Products Liability Litigation*, MDL 2299 (W.D. La.) (court-appointed member of Plaintiffs' Steering Committee)
- *In re: DePuy Pinnacle Hip Implant Products Liability Litigation*, MDL 2244 (N.D. Tex.) (court-appointed member of Plaintiffs' Executive Committee)
- *In re: DePuy ASR Hip Implant Products Liability Litigation*, MDL 2197 (N.D. Ohio) (court-appointed member of Plaintiffs' Steering Committee and Settlement Committee)
- *In re: Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf Of Mexico, on April 20, 2010 Litigation*, MDL 2179 (E.D. La.) (co-chair of Environmental Testing Committee)
- *In re: Toyota Motor Corp. Unintended Acceleration Marketing, Sales Practices, and Product Liability Litigation*, MDL 2151 (C.D. Cal.) (court-appointed member of Lead Counsel Committee for Economic Loss Claims)
- *In re: Gadolinium-Based Contrast Agents Products Liability Litigation*, MDL 1909 (N.D. Oh.) (court-appointed member of Plaintiffs' Steering Committee)
- *In re: Zyprexa Litigation*, MDL 1596 (E.D.N.Y.) (court-appointed member of Plaintiffs' Steering Committee in related third-party action)
- *In re: Bextra and Celebrex Products Liability Litigation*, MDL 1699 (N.D. Cal.) (court-appointed State/Federal Liaison)

COURT & BAR ADMISSIONS

- Massachusetts, 1985
- U.S. District Court, District of Massachusetts, 1986
- U.S. Court of Appeals, First Circuit, 1986
- U.S. District Court, District of Columbia, 1996
- New York, 1996
- U.S. District Court, Southern and Eastern Districts of New York, 1996
- U.S. District Court, District of Columbia and U.S. Court of Federal Claims, 2003

AWARDS

- Elected as a Member of the American Law Institute, 2019.
- Inducted into the National Trial Lawyers Association's "Trial Lawyer Hall of Fame" in 2019.
- American Association for Justice's Lifetime Achievement Award, 2021.
- Elite Women of the Plaintiffs Bar Winner, National Law Journal, 2021.